IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 11487 of 2004

Between:

Toddy Co-Operative Society, Venkatraopally village,
Kamanpur Mandal Karimnagar District,
rep. by president P. Bikshapathi Goud.

..... PETITIONER

AND

1 The Commissioner of Proh & Excise, Govt of A.P., Nampally,
Hyd.
2 The District Collector (Proh & Excise), Karimnagar Dist at
karimnagar.
3 The Supt of Proh & Excise, Karimnagar District.
4 The Toddy Co-Operative Society, Veelapalli Village,
Ramagundam Mandal,
Karimnagar District rep. by its President.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an apropriate writ, order or direction more particularly one in the nature of Writ of Mandamus directing the respondents No.1 and 2 to shift the 4th respondent toddy shop from Sy.No.490 to its Original place of Sy.No.81 -82 of Veerlapalli village, Ramagundam Mandal, Karimnagar District, declaring the action of the respondents in not considering the representation of the petitioner's society dt. 30.6.2004 as illegal, arbitrary and consequently direct the respondents allow to shift the petitioner's toddy shop No.2 bearing licence No.529 dt. 3.4.2004 valid upto 31.3.2007 from Sy.No.500 to 490 .

For the Petitioner:MR.B.SAI RAM GOUD, Advocate

For the Respondent Nos. 1&3: GP FOR PROHIBITION & EXCISE

For the Respondent No.4:

The Court at the admission stage made the following ORDER:

This writ petition is filed by the petitioner – Cooperative Society aggrieved by the action of the respondents in not disposing of the representation of the petitioner seeking for shifting of its shop as well as the shop of the fourth respondent to its original place where they were ordered to be located.

2. The grievance of the petitioner is that the fourth respondent has shifted its shop within the area of the petitioner's society. Therefore, a representation was made to the first respondent on 30.06.2004 to consider and pass appropriate orders not only to permit the petitioner to shift its shop from Survey No.500 to 490 but also for issuing an order for shifting of the fourth respondent's shop from Survey No.490 to its original place in Survey Nos.81 and 82 of Veerlapally village, Ramagundam Mandal, Karimnagar District. But, the respondents did not consider and pass any orders. Therefore, the present writ petition.

3. Heard learned counsel for the petitioner and learned Government Pleader for Prohibition and Excise.

3. Under the above circumstances, the writ petition is disposed of directing the first respondent to dispose of the representation of the petitioner expeditiously after complying with the formalities. No costs.

07.07.2004

va

To

1 The Commissioner of Prohibition & Excise, Government of A.P., Nampally, Hyderabad.
2 The District Collector (Prohibition & Excise), Karimnagar Dist at karimnagar.
3 The Supt of Prohibition & Excise, Karimnagar District.

4 Two CCs to G.P. for Prohibition & Excise, High Court of A.P. Buildings, Hyderabad (OUT)

5 Two CD Copies